



## Physical Therapy Board of California

### Consumer Protection Services Program

2005 Evergreen St. Suite 1350, Sacramento, California 95815

Phone: (916) 561-8200 FAX: (916) 263-2560

Internet: [www.ptbc.ca.gov](http://www.ptbc.ca.gov) EMAIL [cps@dca.ca.gov](mailto:cps@dca.ca.gov)



## STATEMENT OF RIGHTS

**Tracy Halmos, PT**  
**17391 E. Vineland Ave.**  
**Los Gatos, CA 95030**

You are hereby served with a citation issued by the Executive Officer of the Physical Therapy Board of California (PTBC).

This citation is being issued in accordance with Business and Professions Code Section 148 and Title 16 of the California Code of Regulations Sections 1399.25 – 1399.29. If you do not wish to contest the issuance of the citation, please transmit to the Board the amount assessed in the citation as an administrative fine within thirty (30) days from the date of issuance of the citation or assessment.

### Notice of Appeal – Informal Conference

If you wish to contest the basis on which the citation was issued, the assessment of the administrative fine, or bring any mitigating circumstances to the attention of the PTBC, you must so request in writing to the Executive Officer within ten (10) days after receipt of the citation. A form, ("Notice of Appeal"), is provided for your convenience, although it is not imperative that you use this particular form. If you fail to notify the Executive Officer within the allotted time, the citation will be deemed as final. The time in which to file a request for an informal conference may be extended by the Executive Officer upon showing of good cause. There is no need to call the PTBC, as PTBC staff will not discuss your citation with you. The informal conference is your opportunity to discuss the citation with the Executive Officer.

The informal conference may be held by telephone or if preferred, in person, with the person cited, and/or his or her legal counsel or authorized representative. All informal conferences are tape recorded whether conducted by telephone or in person. Any or all aspects of the citation may be contested, including: occurrence of the violation; period of time allowed for the correction; amount of the administrative fine; or any order of abatement.

The Executive Officer will hold the informal conference within thirty (30) days from receipt of the request, and make a decision within 10 days after the informal conference.

### Notice of Appeal – Administrative Hearing

Whether or not you request an informal conference, you may request a formal administrative hearing. To do so, your request must be made in writing to the Executive Officer within 30 days of issuance of the citation. **If you don't request an administrative hearing within the 30 days following the issuance of the citation, you will not be able to request one later**, unless the informal conference, if one was requested, results in modification of the original citation. If the informal conference results in a modification of the citation, the citation originally issued shall be considered withdrawn, and a new, modified citation is issued. This means that if your citation is modified, and you wish to have an administrative hearing on the modified citation, you must re-request, in writing, an administrative hearing within 30 days of issuance of the modified citation.

After the informal conference decision is issued, you will have the opportunity to withdraw your request for an administrative hearing. If your request is not withdrawn, or if an administrative hearing was requested instead of an informal conference, a hearing will be arranged before an administrative law judge. The judge will prepare a proposed decision containing findings of fact, and either affirming, modifying, or vacating the Citation. Then the proposed decision will be presented to the PTBC Board Members for their consideration. The proceedings under this section shall be conducted in accordance with the provisions of the Administrative Procedure Act (commencing with Section 11500) of the Government Code.

If the PTBC, after the hearing, affirms the issuance of the Citation, you will be required to comply with the Citation, including any order of abatement and payment of any fine, as well as comply with other stipulations within the Citation decision.

Pursuant to Section 1399.25 (e) of the California Code of Regulations, citations are a matter of public record for five (5) years from the date of issuance, or, if subsequent citations have been issued, for five (5) years from the date the last citation was issued to a licensee.



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**CITATION # 11-12-0082**

**Tracy Halmos, PT  
17391 E. Vineland Ave.  
Los Gatos, CA 95030**

**CASE # 1D 2011 70812**

### **CITATION**

Information obtained by the Physical Therapy Board of California (PTBC) has determined that actions taken by you have violated sections of the law regulating the practice of physical therapy.

A citation is hereby issued to you in accordance with Section 125.9 of the Business and Professions Code for the violations described below.

### **CAUSE FOR CITATION**

Failure to notify the PTBC, in writing, of a change of address within thirty (30) days in accordance with Section 1398.6 (a) of the California Code of Regulations.

#### *Filing of Addresses*

1. (a) *Each licensee shall report to the board each and every change of residence address within 30 days after each change, giving both the old and new address. In addition to the address of residence, a licensee may provide the board with an alternate address of record. If an alternate is the licensee's address of record, he or she may request that the residence address not be disclosed to the public.*

On **July 16, 2011** the PTBC received a change of address in which you reported that you moved from **18313 Solano Ct. Morgan Hill, CA 95037** to your new address at **17391 E. Vineland Ave., Los Gatos, CA 95030**. According to the information you provided, this address change occurred on or about **September 11, 2010**. Since notification of your address change was not reported to the Physical Therapy Board within 30 days of the change, as required pursuant to CCR Section 1398.6, you are in violation of the Physical Therapy Practice Act.

**CITATION # 11-12-0082**  
**CASE # 1D 2011 70812**

**ORDER**

Further, **you are ordered to pay a fine of \$100.00** to the PTBC within thirty (30) days of the citation or assessment issuance date. When submitting payment to the PTBC, for your protection and to assure proper credit, please return a copy of the citation and note the citation number on your check or money order.

If you wish to contest all or any part of this Citation, complete the enclosed "Notice of Appeal" form and return it to this office within ten (10) days after receipt of this Citation. The date indicated on the Order will be held in abeyance only for any violation(s) you wish to contest. All uncontested violations will be adhered to as specified. In the alternative, you may, within thirty (30) days of the citation or assessment issuance date, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

**FAILURE TO RETURN A REQUEST FOR INFORMAL CONFERENCE AND/OR  
ADMINISTRATIVE HEARING WITHIN THE TIME INDICATED WILL CONSTITUTE  
A WAIVER OF YOUR RIGHT TO ADMINSTRATIVELY CONTEST OR APPEAL  
THIS CITATION.**

**October 31, 2011** \_\_\_\_\_  
Date

**Original Signed By:** \_\_\_\_\_  
REBECCA MARCO  
Executive Officer